

**PRESENTATION OF PREFILED RESOLUTIONS:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER TO WIT:

**RESOLVED**, that the minutes of the Regular Meeting of the Town Board  
held January 3, 2017 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote  
on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

January 17, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER, TO WIT:

**RESOLVED**, that the following Audited Claims be and are hereby ordered paid  
from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the  
Assistant to the Supervisor, to wit:

Claim No. 47002 to Claim No. 47223 Inclusive

Total amount hereby authorized to be paid: \$630,065.41

The question of the foregoing resolution was duly put to a vote on roll call  
which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

January 17, 2017

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER TO WIT:

**RESOLVED** that the following Building Permit applications be and are hereby reaffirmed:

**CODES:**  
(SW) = Sidewalks as required by Chapter 12-1B of the Code of the Town of Lancaster are waived for this permit.  
(CSW) = Conditional sidewalk waiver  
(V/L) = Village of Lancaster

NEW PERMITS:					
Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
26238		Freedom Solar LLC	3725 Bowen Rd	Er. Res. Alt.	
26239		Marrano/Marc Equity Corp.	16 Cherryfield Ln	Er. Dwlg.-Sin.	
26240		Fairway Hills Development	29 Pear Tree Ln	Er. Dwlg.-Sin.	
26241		Fairway Hills Development	27 Pear Tree Ln	Er. Dwlg.-Sin.	
26242		Marrano/Marc Equity Corp.	8 Crabapple Ln	Er. Dwlg.-Sin.	
26243		Joseph M. Ligammare	11 Worthington Ln	Er. Res. Alt.	
26244		James Lucas	32 Clark St	Er. Res. Alt.	(V/L)
26245		Danielle Harker	67 Burwell Ave	Er. Fence	(V/L)
26246		Transit Road Apartments LLC	4845 Transit Rd	Er. Sign - Wall	
26247		Joan Pionessa	169 Belmont Ave	Re-Roof	
26250		Thomas Sutkowski	15 Hemlock Ln	Inst. Generator	
26251		Windosr Ridge Partners LLC	45 Worthington Ln	Er. Dwlg.-Sin.	
26252		1806 Como Park LLC	1806 Como Park Blvd	Er. Res.	
Alt.					

**RESOLVED**, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

January 17, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER, TO WIT:

**NOW THEREFORE,**  
**BE IT RESOLVED,** the Town Board of the Town of Lancaster hereby  
approves and authorizes the Town Supervisor to execute the Settlement and Release  
Agreement, as presented, between the Town of Lancaster and Time Warner Cable Northeast,  
LLC, a subsidiary of Charter Communications, Inc.

The question of the adoption of the foregoing resolution was duly put  
to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

January 17, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER TO WIT:

**WHEREAS,** the New York State Liquor Authority requires that an establishment notify the Municipality in which they operate of an application for a liquor license thirty (30) days before it can be considered, and

**WHEREAS, Fox Valley Golf Club,** 6161 Genesee Street, Lancaster, New York by letter filed on December 30, 2016 with the Town Clerk of the Town of Lancaster has indicated their intent to apply for a liquor license with the New York State Liquor Authority, and

**WHEREAS, Fox Valley Golf Club,** 6161 Genesee Street, Lancaster, New York has requested that the thirty (30) day statutory notification to the Town of Lancaster of an application for a liquor license to the New York State Liquor Authority be waived, and

**WHEREAS,** this waiver can only be granted by the Town Board in which the premises is located.

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Town Clerk is authorized to notify the State Liquor Authority that required notification was received by the Town Clerk on December 30, 2016, and

**BE IT FURTHER**

**RESOLVED,** that the Town Board hereby waives the thirty (30) day notification requirement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

January 17, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning Section 46 of the Code of the Town of Lancaster, upon the application of **Timothy Krantz**, for a Special Use Permit for **C.J. Krantz Organics, Inc.**, to conduct Topsoil Shredding on premises locally known as 4106 Walden Avenue in the Town of Lancaster, New York, and the Board issued such Special Use Permit on October 3, 2016 and this Special Use Permit is subject to renewal upon application by the property owner, and

**WHEREAS**, **Timothy Krantz** has requested that the Town Board renew the Special Use Permit for an additional one (1) year period, and

**WHEREAS**, the Code Enforcement Officer has recommended his approval of this Special Use Permit in his letter dated December 28, 2016;

**NOW THEREFORE, BE IT  
RESOLVED, as follows:**

1. That pursuant to Chapter 50-Zoning, Section 24 Light Industrial District (LI),(B) Permitted Uses, (2) Accessory Structures and Uses of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to **Timothy Krantz**, the owner of **C.J. Krantz Organics, Inc.**, to conduct Topsoil Shredding on premises locally known as 4106 Walden Avenue in the Town of Lancaster, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning January 1, 2017 and ending December 31, 2017, and

2. That the applicant will continue in compliance with conditions as set forth in Chapter 50, Section 24, of the Code of the Town of Lancaster as long as the applicant continues to engage in Topsoil Shredding activities on the premises, namely

- A. Must comply with dust control requirements in Town Code §50-27(D)(1).
- B. All areas from which topsoil is removed shall, during the period between April 1 and May 15 or August 15 and October 1, be prepared into a loose level seed bed, limed, fertilized, and seeded.
- C. This permit shall expire on January 1 of each year. The original applicant can renew the permit at no additional cost provided it is for the same location that the original permit was issued under.
- D. Conform to the specified hours of operation as stated in §38-4(I).
- E. Applicant will maintain roadways to include curbing protection, silt runoff protection, and remove all dirt and mud from pavement areas as stated in Chapter 43.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER GACZEWSKI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER, TO WIT:

**WHEREAS, Parise Mechanical, Inc.,** 1106 Sheridan Drive, Tonawanda, New York 14150, the contractor for the Mechanical Contractor for the Highway Department’s Pre-engineered Building located at 525 Pavement Road has submitted Change Order No. 1 in the amount of \$3,462.00 to the Town Board for their approval, based on additional material and work done to the building, and

**WHEREAS,** the additional work was performed at the request of the Town, therefore, revenue for the change order will be taken from the amended April 15, 2013 Town Storage Building Bond.

**NOW, THEREFORE, BE IT  
RESOLVED,** that the Town Board of the Town of Lancaster hereby approves Change Order No. 1 to **Parise Mechanical, Inc. (Contract H)**, with respect to the outlined descriptions provided to the Town Board:

**DESCRIPTION OF CHANGE ORDER NO. 1:**

Additional compensation for installation and insulation of the hose bibs along the north side of the building.

**CHANGE ORDER NO. 1 (CONTRACT G):**

The original Contract Sum was .....	\$	141,500.00
The Contract Sum will be increased by this Change Order in the amount of....	\$	3,462.00
The new Contract Sum increase including this Change Order will be	\$	144,962.00

**BE IT FURTHER  
RESOLVED,** that the Supervisor be and is hereby authorized to execute this Change Order on behalf of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER, TO WIT:

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the Agreement, between the Town of Lancaster and the Depew-Lancaster Boys' and Girls' Club, Inc., subject to the approval of the Town Attorney and receipt of all required documents and insurance certificates, for the operation of a Youth Development Program for the benefit of youth in the Town of Lancaster and hereby authorizes the Supervisor to execute said agreement which will cover the period January 1, 2017 through December 31, 2017.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

January 17, 2017



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER GACZEWSKI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER, TO WIT:

**WHEREAS**, Dan Amatura, the Town of Lancaster’s Highway Superintendent, has requested the Town Board approve expending funds for the purchase of pipe, fittings and plumbing supplies, for the installation of the Rotary Screw Model Compressed Air System that was approved at the December 19, 2016 Town Board Meeting which will be used in the Highway storage building, and

**WHEREAS**, the Highway Superintendent, obtained a quote from Buffalo Air Center, in the amount of \$4,585.00, in accordance with the Town of Lancaster’s Procurement Policy, and

**WHEREAS**, by letter dated January 5, 2017, Dan Amatura has recommended that the Town of Lancaster authorize the purchase of pipe, fittings and plumbing supplies, for the installation of the Rotary Screw Model Compressed Air System from Buffalo Air Center, in the amount of \$4,585.00 per their quote dated December 22, 2016, and

**WHEREAS**, funding for the purchase of the pipe, fittings and plumbing supplies is available from the Highway Department’s April 15, 2013, amended December 15, 2014, Town Storage Building Construction Bond.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the purchase of pipe, fittings and plumbing supplies, for the installation of the Rotary Screw Model Compressed Air System from Buffalo Air Center, 170 Wales Avenue, Tonawanda, NY 14150, in accordance with their quote dated December 22, 2016 for an amount not to exceed \$4,585.00 and authorizes the Highway Superintendent to execute said proposal acceptance; this sum will be paid from the Highway Department’s April 15, 2013, amended December 15, 2014, Town Storage Building Construction Bond.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

January 17, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER, TO WIT:

**WHEREAS,** the Lancaster Rural Cemetery Association is seeking contribution for its operating expenses from the Town of Lancaster, and

**WHEREAS,** the Town Board previously reviewed this matter and has discovered that in the event that this not-for-profit organization ceases to exist, the Town of Lancaster would become responsible for the maintenance and upkeep of said cemetery pursuant to Town Law, which would place a significant financial burden on town taxpayers, and

**WHEREAS,** said funding was approved in the adopted 2017 Town of Lancaster budget in the sum of fifteen-thousand dollars (\$15,000.00), and

**WHEREAS,** the Town Board deems it in the public interest to provide financial assistance to the Lancaster Rural Cemetery Association so that this not-for-profit organization can continue to operate and maintain the Lancaster Rural Cemetery without this obligation falling to the Town, and

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to provide the sum of fifteen-thousand dollars (\$15,000.00) to the Lancaster Rural Cemetery Association for its continued operation and maintenance of the before-mentioned cemetery, with said funds being allocated from the adopted 2017 Town of Lancaster Budget Line Item A8810.449.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

January 17, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER , TO WIT:

**WHEREAS**, the Chief of Police of the Town of Lancaster, has  
recommended the appointment of Derek R. Braun of Lancaster, New York, to the position of  
Police Officer to fill an existing vacancy, and

**WHEREAS**, Derek R. Braun is eligible for appointment as a result of his  
placement on the applicable Erie County Department of Personnel Eligible List, and

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Derek R. Braun be and is hereby appointed to the position  
of Police Officer in the Town of Lancaster Police Department effective February 1, 2017; and  
that such appointment shall be subject to all applicable provisions of the collective  
negotiations agreement between the Town of Lancaster and the Cayuga Club Police  
Benevolent Association and all applicable provisions of law, and

**BE IT FURTHER,**

**RESOLVED**, that the Supervisor of the Town of Lancaster shall be  
authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a  
vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

January 17, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster has heretofore annually authorized the administration of a Tree Planting Program for the purpose of beautifying the rights-of-way of public highways and streets of the Town of Lancaster by furnishing shade trees, and

**WHEREAS**, grant funds have been provided by the New York State Department of Environmental Conservation for the 2017 Tree Planting Program, and

**WHEREAS**, the Tree Planting Committee of the Town Board has reviewed the Town of Lancaster's Tree Planting Program and recommends the planting of certain species of trees on certain streets in accordance with the official Tree Planting Master Plan of the Town of Lancaster and specifications on file in the Town Clerk's Office in the Town Hall, Lancaster, New York,

**NOW, THEREFORE, BE IT  
RESOLVED**, as follows:

1. That sealed bids be received by the Town Clerk up to 10:00 A.M., Local Time, on February 9, 2017, for meeting the requirements of the Town of Lancaster's 2017 Tree Planting Program and for supplying trees in accordance with specifications on file in the Town Clerk's Office, and
2. That the Town Clerk be and is hereby authorized to have a Notice to Bidders and Nurserymen published in the Lancaster Bee and to have said Notice posted as required by Law, which Notice shall be in the form attached hereto and made a part hereof, and
3. That funding for this project is from New York State Department of Environmental Conservation. The NYSDEC has established an overall goal of 20% for Minority and Women-Owned Business Enterprises ("MWBE") participation, 10% for Minority-Owned Business Enterprises ("MBE") participation, and 10% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MEBs and WBEs). The NYSDEC has since granted the Town of Lancaster a full waiver for achieving said goals.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

January 17, 2017

**LEGAL NOTICE  
TOWN OF LANCASTER  
NOTICE TO BIDDERS  
OR NURSERYMEN**

NOTICE IS HEREBY GIVEN that sealed bids for the Town of Lancaster's 2017 Tree Planting Program will be received by the Town Clerk or her designee at her office in the Town Hall, 21 Central Avenue, Lancaster, New York 14086 on or before 10:00 A.M., Local Time, on February 9, 2017, at which time they will be publicly opened and read aloud.

Each proposal must be accompanied by a check payable to the Town of Lancaster or a bid bond, having as surety thereon a surety company acceptable to the Town Attorney, in the amount of One Thousand Five Hundred Dollars (\$1,500.00) conditioned that, if the proposal is accepted, the bidder will enter into a contract for the same and that the bidder will execute any such further security as may be required for the faithful performance of the contract.

All bid deposits, except that of the successful bidder, will be returned.

The Town Board of the Town of Lancaster reserves the right to reject any or all bids and to waive any informalities.

TOWN BOARD OF THE  
TOWN OF LANCASTER

BY: DIANE M. TERRANOVA  
Town Clerk

January 20, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER, TO WIT:

**WHEREAS,** the Town of Lancaster provides Year-Round Youth Development Programs to the residents within its geographical areas, and

**WHEREAS,** the Erie County Department of Social Services has awarded the Town of Lancaster a 2017 Youth Development Program award in the amount of \$22,500.00 for the period of January 1, 2017 through December 31, 2017, and

**WHEREAS,** John Trojanowsky, Youth Bureau Executive Director, has obtained all documents required by the County to secure the funding for the 2017 operation of the Town of Lancaster’s Year-Round Youth Development Program except for the executed 2017 Youth Agreement;

**NOW, THEREFORE, BE IT  
RESOLVED,** that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute the 2017 Youth Agreement to secure the NYS Office of Children and Family Services funds from the Erie County Department of Social Services for the operation of the Town of Lancaster’s 2017 Youth Development Program commencing January 1, 2017 and continuing through December 31, 2017.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER GACZEWSKI	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER WALTER	VOTED
SUPERVISOR COLEMAN	VOTED

January 17, 2017